

BONNETT, FAIRBOURN, FRIEDMAN
& BALINT, P.C.

Andrew S. Friedman (admitted *pro hac vice*)

Wendy J. Harrison (CA SBN 151090)

2901 North Central Avenue, Suite 1000

Phoenix, Arizona 85012

Tel: (602) 274-1100

Fax: (602) 274-1199

E-mail: afriedman@bffb.com

wharrison@bffb.com

RODDY KLEIN & RYAN

GARY KLEIN

SHENNAN KAVANAGH

727 Atlantic Avenue

Boston, MA 02111-2810

Telephone: (617) 357-5500

Fax: (617) 357-5030

E-mail: klein@roddykleinryan.com

kavanagh@roddykleinryan.com

Interim Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO/OAKLAND DIVISION

In re: WELLS FARGO MORTGAGE
LENDING PRACTICES LITIGATION

)
) M:08-CV-01930-MMC
)

)
) **SUPPLEMENTAL JOINT CASE**
) **MANAGEMENT REPORT**
)

_____,
This document relates to

) **Case Management Conference**
)

ALL ACTIONS

) Date: May 9, 2008
)

) Time: 10:30 a.m.
)

) Courtroom: 7, 19th Floor
)

) ***Judge: Honorable Maxine M. Chesney***
)

1 Co-Lead Interim Counsel and Liaison Interim Class Counsel for Plaintiffs and
2 Defendant Wells Fargo submit this supplemental case management report to propose a new
3 pretrial schedule amending the deadlines previously imposed by Judge Jenkins in the Pretrial
4 Order on Case Management dated January 8, 2008. *See* [Proposed] Amended Pretrial Order
5 on Case Management filed concurrently herewith. In addition, the parties propose the entry
6 of Pretrial Order No. 2 (“PTO No. 2”), which will, among other things, confirm the
7 leadership structure contained in PTO No. 1 and add an Executive Committee. *See*
8 [Proposed] Pretrial Order No. 2 filed concurrently herewith.

9 On December 18, 2007, counsel in the *Jeffries* and *Ventura* actions appeared for the
10 initial case management conference before Judge Martin Jenkins. On January 8, 2008, Judge
11 Jenkins entered Pretrial Order on Case Management and Pretrial Order No. 1 consolidating
12 the *Jeffries* action with the *Ventura* action and appointing Bonnett Fairbourn and Roddy
13 Klein & Ryan as Co-Lead Interim Class Counsel and Coughlin Stoia as Liaison Interim
14 Class Counsel.

15 On January 3, 2008, Wells Fargo filed a Motion to Transfer Actions for Consolidated
16 and Coordinated Pretrial Proceedings. On February 15, 2008, the consolidated cases were
17 transferred to this Court. On March 24, 2008, the Court entered an order staying all
18 proceedings in this matter pending decision on the motion to transfer. On April 10, 2008, the
19 Judicial Panel on Multidistrict Litigation issued a transfer order assigning these actions to the
20 Northern District of California and requesting assignment to this Court.

21 As a result of the delay caused by the MDL proceedings, Counsel hereby respectfully
22 request that the deadlines ordered in the Pretrial Order on Case Management entered on
23 January 8, 2008, be adjusted. No other changes to the Pretrial Order on Case Management
24 are requested.

25 **1. Disclosures**

26 Plaintiffs and Wells Fargo will exchange their Initial Disclosures pursuant to Federal
27 Rule of Civil Procedure 26(a)(1) on May 26, 2008.

2. Amendment of Pleadings

Plaintiffs shall inform the Court at the earliest opportunity if they intend to file any amended complaints in this Action. Any such amendments shall be completed by August 1, 2008.

3. Deadlines

Discovery shall commence forthwith. The following discovery deadlines shall apply to the initial phase of discovery:

- October 24, 2008 Fact witness cutoff for certification purposes;
- November 3, 2008 Plaintiffs' Rule 26(a)(2) identification of experts for certification issues
- November 10, 2008 Plaintiffs' expert witness reports due for certification issues;
- November 24, 2008 Wells Fargo's rebuttal disclosure and reports for certification issues;
- December 1, 2008 Plaintiffs' rebuttal disclosure and reports for certification issues;
- December 15, 2008 Expert discovery cutoff for certification issues.

4. Class Certification

Plaintiffs' motion for class certification shall be heard on May 8, 2009, at 9:00 a.m. The following briefing schedule shall apply to the class certification motion:

- February 2, 2009 Last day to file motion for class certification;
- March 2, 2009 Last day to file opposition to class certification;
- April 2, 2009 Last day to file reply briefs.

5. Post Class Certification Status Conference

On August 14, 2009 at 10:30 a.m., the Court will hold a post-class certification status conference.

6. Subsequent Discovery

Plaintiffs and Wells Fargo shall adhere to the following schedule for the remainder of discovery:

- November 16, 2009 Fact discovery closes;
- December 16, 2009 Parties' disclosure of initial expert reports
- January 18, 2010 Parties' disclosure of rebuttal expert reports
- February 18, 2010 Expert discovery closes.

7. Dispositive Motions

The Court sets the following tentative deadlines for dispositive motions:

- March 10, 2010 Last day to file dispositive motions
- April 12, 2010 Last day to file opposition to dispositive motion
- May 3, 2010 Last day to file reply

The Court sets a hearing to consider dispositive motions for May 31, 2010.

8. Trial Date

The Court sets June 2010 as a tentative trial date.

DATED: May 2, 2008

BONNETT, FAIRBOURN, FRIEDMAN &
BALINT, P.C.

By /s/ Wendy J. Harrison

Andrew S. Friedman
Wendy J. Harrison (SBN 151090)
2901 N. Central Avenue, Suite 1000
Phoenix, Arizona 85012
Telephone: (602) 274-1100
Facsimile: (602) 274-1199

RODDY KLEIN & RYAN

Gary Klein
Shennan Kavanagh
727 Atlantic Avenue
Boston, MA 02111-2810
Telephone: (617) 357-5500
Facsimile: (617) 357-5030

Co-Lead Interim Class Counsel

1
2 COUGHLIN STOIA GELLER
3 RUDMAN & ROBBINS LLP
4 Shawn A. Williams
5 100 Pine Street, Suite 2600
6 San Francisco, CA 94111

7 COUGHLIN STOIA GELLER
8 RUDMAN & ROBBINS LLP
9 Samuel H. Rudman
10 Robert M. Rothman
11 58 South Service Road, Suite 200
12 Melville, NY 11747

13 *Liaison Interim Class Counsel*

14
15 DATED: May 2, 2008

16 REED SMITH LLP

17 By /s David S. Reidy
18 Robert D. Phillips, Jr. (SBN 82639)
19 Tyree P. Jones, Jr. (SBN 127631)
20 David S. Reidy (SBN 225904)
21 P. O. Box 7936
22 San Francisco, CA 94120-7936
23 Telephone: (415) 543-8700
24 Facsimile: (415) 391-8269

25 *Attorneys for Defendant*
26 *Wells Fargo Bank, N.A.*